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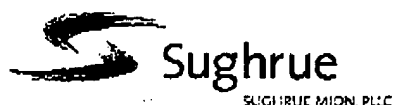
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FAX

Date June 28, 2004

To Examiner Hoai V. PHAM

Of PTO Group Art Unit 2814

Fax 703-872-9306

From Kevin M. Barner

Subject PETITION PURSUANT TO 37 C.F.R. § 1.59 AND MPEP § 724.05
TO EXPUNGE INFORMATION FROM APPLICATION FILE

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JUN 28 2004

OFFICIAL

Our Ref	Q62964	Appln No	09/864,259
Conf No	3213	Inventors	Fumihiko HAYASHI
Pages	5 (including cover sheet)		

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This fax filing includes:

1. This cover sheet
2. Submission Of Petition Pursuant To 37 C.F.R. § 1.59 and MPEP § 724.05 To Expunge Information From Application File (in duplicate)
3. Petition Pursuant To 37 C.F.R. § 1.59 and MPEP § 724.05 To Expunge Information From Application File

CERTIFICATION OF FACSIMILE TRANSMISSION

Sir:

I hereby certify that the above identified correspondence is being facsimile transmitted to Examiner Hoai V. PHAM at the Patent and Trademark Office on June 28, 2004 at 703-872-9306.

Respectfully submitted,

A handwritten signature in cursive script that reads 'Kevin M. Barner'.

Kevin M. Barner

PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

Docket No: Q62964

Fumihiko HAYASHI

Appln. No.: 09/864,259

Group Art Unit: 2814

Confirmation No.: 3213

Examiner: Hoai V. PHAM

Filed: May 25, 2001

For: SEMICONDUCTOR DEVICE HAVING A MEMORY CELL REGION AND A
PERIPHERAL CIRCUIT REGION AND METHOD OF MANUFACTURING THEREOF

SUBMISSION OF PETITION PURSUANT TO 37 C.F.R. § 1.59 AND MPEP § 724.05
TO EXPUNGE INFORMATION FROM APPLICATION FILE

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:


Please charge \$130.00 to Deposit Account No. 19-4880, for the Petition Pursuant To MPEP § 724.05 and 37 C.F.R. § 1.59 to Expunge Information From Application File. The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account. A duplicate copy of this paper is enclosed.

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Respectfully submitted,

SUGHRUE MION, PLLC
Telephone: (202) 293-7060
Facsimile: (202) 293-7860


Kevin M. Barner
Registration No. 46,075

WASHINGTON OFFICE

23373

CUSTOMER NUMBER

Date: June 28, 2004

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In re application of

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TO EXPUNGE INFORMATION FROM APPLICATION FILE

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

The Applicant of the above-named application hereby petitions under the provisions of 37 C.F.R. § 1.59(b) to expunge from the file the Request for Continued Examination (RCE) which was filed on June 10, 2004.

It is respectfully submitted that Applicant unintentionally submitted the Request for Continued Examination (RCE) in the application. Furthermore, it is noted that a Request for Continued Examination alone is not responsive to the outstanding Office Action mailed January 5, 2004.

Additionally, on June 10, 2004, Applicant authorized payment of the RCE filing fee of \$770.00 to be charged to Applicants' Deposit Account No. 19-4880. It is respectfully requested that such fee be returned to Applicant since the fee was also paid in error.


PETITION PURSUANT TO 37 C.F.R. § 1.59 AND MPEP § 724.05
TO EXPUNGE INFORMATION FROM APPLICATION FILE
U.S. Appln. No. 09/864,259

A separate letter submitting the appropriate fee and/or authorizing the charging of our
Deposit Account No. 19-4880 for the appropriate fee as required by 37 C.F.R. § 1.17(i) is
submitted herewith in duplicate.

CERTIFICATION OF FACSIMILE TRANSMISSION

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facsimile transmitted to Examiner Hoai V. PHAM at the Patent and Trademark Office on June
28, 2004 at facsimile no. 703-872-9306.

Respectfully submitted,


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Attorney Docket No.: Q62964